Order Regarding Motion for Sentence Reduction

TI IS ORDERED that the motion is:  □ DENIED. X GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 84 months is reduced to 69 months.  I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)  Previous Offense Level: 33 Amended Offense Level: 31 Criminal History Category: III Criminal History Category: III Previous Guideline Range: 168 to 210 months Amended Guideline Range: 135 to 168 months  II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE  □ The reduced sentence is within the amended guideline range.  □ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  □ Other (explain):  III. ADDITIONAL COMMENTS  Except as provided above, all provisions of the judgment dated November 22, 2005 shall remain in effect.	United State	ES DISTRICT COURT
November 22, 2005  PHIL FINCH  PHIL FINCH  Date of Previous Judgment: November 22, 2005 (Use Date of I ast Amended Judgment if Applicable)  Upon motion of Ø the defendant □ the Director of the Bureau of Prisons □ the court under 18 U.S.C. § 3582(c)(2) for reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered an made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered suc motion,  IT IS ORDERED that the motion is:  □ DENIED. X GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 84 months is reduced to 69 months.  I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)  Previous Offense Level: 33  Criminal History Category: Ⅲ  Amended Offense Level: 31  Criminal History Category: Ⅲ  Amended Guideline Range: 135 to 168 months  II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE  □ The reduced sentence is within the amended guideline range.  □ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  □ Other (explain):  III. ADDITIONAL COMMENTS   REGARDING Number: 25.004-cr 397-011 (DNH)  USM Number: 12865-052  Lisa A. Peebles, Esq.  Dodendar's Antoney  Lison Previous Guideline Range.  Criminal History Category: III Count of the sentence of imprisonment (as reflected in the last judgment (as reflected in the last	NORTHERN	District of NEW YORK
V.  PHIL FINCH  PHIL FINCH  Case Number: 5:04-cr-397-011 (DNH)  USM Number: 12865-052  Lisa A, Peebles, Esq.  Defendant's Autorney  Upon motion of № the defendant □ the Director of the Bureau of Prisons □ the court under 18 U.S.C. § 3582(e)(2) for reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered an made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered suc motion,  IT IS ORDERED that the motion is:  □ DENIED. X GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 84 months is reduced to 69 months.  I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Amy Departure)  Previous Offense Level: 31 Criminal History Category: III Previous Guideline Range: 168 to 210 months  II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE  □ The reduced sentence is within the amended guideline range.  □ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  □ Other (explain):  III. ADDITIONAL COMMENTS  Except as provided above, all provisions of the judgment dated November 22, 2005 shall remain in effect.  IT IS SO ORDERED.  April 25, 2008 Order Date		
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Criminal History Category: III		
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	Effective Date (:: 4::::	0 1

David N. Hurd District Judge